

Greenhouse, Nursery or Garden Store

Licensing Guide

The Kansas Department of Agriculture is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also encourage more farms, ranches and other agriculture business to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas greenhouse, nursery or garden store. In addition to license requirements by the Kansas Department of Agriculture, other Kansas agencies as well as local or federal government agencies may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to assist you as you work to build and operate a successful greenhouse, nursery or garden store in Kansas.

✓	Department	Description	Renewal
	Kansas Small Business Development Center (KSBDCC)*	The KSBDCC is a network of service centers located throughout Kansas offering business consulting to small businesses. Call 800-452-6727 for more information.	Prior to starting
	Kansas Business Center*	The Kansas Business Center is a resource for information, filings, and personal assistance to start or maintain a Kansas business. Call 877-521-8600 for more details.	Prior to starting
	Office of the Secretary of State	Complete the appropriate filings and forms for a business entity required by the Kansas Secretary of State. Call 785-296-4564 for more information.	Prior to starting
	Department of Revenue	Visit the Department of Revenue website to find important business tax information . Call 785-368-8222 for more information.	Prior to starting
	Department of Agriculture, Plant Protection & Weed Control	Any entity or person that grows, buys or obtains live plants for sale or distribution, establishes or moves live plants within Kansas to establish such live plants for others for compensation (such as landscapers), or who gives live plants as a premium or for advertising purposes must complete the Kansas Live Plant Dealer License application. Those who sell less than \$10,000 and are not involved in import or export of plants outside of Kansas may request a license exemption, but still must complete the Kansas Live Plant Dealer License application; they will remain subject to state inspection regardless of size or sales amount. For more information, visit the Live Plant Dealer webpage, or call 785-564-6700. To export live plants outside of Kansas, it will likely be necessary to obtain a Live Plant Certificate of Inspection. Complete a Request for Export Inspection , and a Live Plant Inspection Application . Consult the Export Services and Application Center webpage for more information, or call 785-564-6700. Renewal of the certificate of inspection is only required if exporting plants during the next certification period.	Prior to opening, — Prior to exporting, October 1 Renewal
	Department of Agriculture, Agricultural Commodities Assurance Program (ACAP)	Kansas requires that any persons or entities that sell, offer, or expose agricultural and grass seed for sale to register by completing the Application for Seed Registration . Horticultural seed is excluded from this requirement. Review the Seed Fact Sheet and the ACAP website for more information, or call 785-564-6685.	Prior to selling seed
	Department of Agriculture, Pesticide and Fertilizer	Any retail business that retails pesticide products <u>other than</u> those ready-to-use general use pesticide products which: (a) are to be applied undiluted, in accordance with use instructions shown on the pesticide's label; and (b) are to be applied by homeowners or occupants to control pests in and around the family dwelling and associated structures; must complete the Pesticide Dealer Registration and Application . Any person or business that applies pesticides is required to become licensed as a pesticide business by completing the Pesticide Business License application. Any person that applies pesticides commercially, whether as an owner or employee of a business, is required to receive a Commercial Certified Pesticide Applicator certification. Consult the Pesticide Applicators webpage for certification exam dates. For more information, review the Pesticide Applicator, Sales & Business Licensing Guide and the Pesticide & Fertilizer Program webpage, or call 785-564-6688.	Prior to selling pesticides, July 1 Renewal — Prior to applying pesticide

Greenhouse, Nursery or Garden Store

Licensing Guide

✓	Department	Description	Renewal
	Department of Agriculture, Weights and Measures	No license is needed from Weights and Measures, but a greenhouse, nursery or garden store with scales must hire a licensed service company to test the scales once annually if the scales are utilized for any commercial transaction. Visit the Weights & Measures website for more information, or call 785-564-6683.	Annual service
	Department of Agriculture, Division of Water Resources (DWR)	The state of Kansas requires a permit for water used for industrial water use, including at greenhouses and nurseries, through the diversion of water not incidental to the operation of a traditional farmstead, unless water used is from a rural or municipal water source. Review the Kansas Water Law Basics . Visit the Water Appropriation Forms and complete the appropriate applications. For more information on water use, visit the DWR website or call 785-564-6640.	Yearly report of water use, March 1
	Department of Agriculture, Agricultural Marketing, Advocacy and Outreach*	<i>From the Land of Kansas</i> is a voluntary trademark program that helps promote and identify Kansas agricultural products to consumers. Register the greenhouse, nursery or garden store for membership with <i>From the Land of Kansas</i> . For more information, visit From the Land of Kansas online, or call 785-564-6759.	Annual Renewal
	Department of Health and Environment, Bureau of Water, Industrial Program Section	An NPDES Construction Stormwater Permit is required only if one or more acres are disturbed during construction. The permit is required prior to the start of soil disturbing activities. Visit the KDHE Industrial Programs website, or call 785-296-5549 for more information.	Prior to construction
	Department of Health and Environment, Bureau of Waste Management	Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with KDHE, and facilities greater than one-half acre must obtain a permit . A permit must also be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage, or call 785-296-1121.	Prior to composting or land application
	Department of Health and Environment, Bureau of Water, Municipal Program Section	If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the KDHE Municipal Program Section at 785-296-5527 for construction and permitting requirements.	Prior to construction
	Department of Health and Environment, Bureau of Water, Public Water Supply & Geology Sections	If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to State/Federal drinking water requirements. Contact the KDHE Public Water Supply Section at 785-296-5523. Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells, serving public water supplies. Contact the KDHE Geology Section at 785-296-5560 for more information.	Prior to construction

Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, KS 66502
 Phone: (785) 564-6700
 Email: ksag@kda.ks.gov
 Website: <http://agriculture.ks.gov>

This guide is for informational purposes only. It is not intended to be an exhaustive list of requirements for operating a Kansas agribusiness entity. Please contact the appropriate agencies or organizations for specific requirements applicable to your business.
** Indicates that the information listed is merely a useful resource and not a requirement for operating the business*

Updated 7/16/2014